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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,

Plaintiff,

vs.

LUIS ORTEGA,

Defendant.

Case No.: 2:15-cr-00293-LRH-NJK

**STIPULATION AND PROPOSED
ORDER TO EXTEND TIME TO
RESPOND TO DEFENDANT'S
MOTION TO SUPPRESS**

[Docket No. 60]

It is hereby stipulated and agreed, by and between Daniel G. Bogden, United States Attorney, through Richard Anthony Lopez, Assistant United States Attorney, and Kathleen Bliss, counsel for defendant Luis Ortega, that the Government's deadline to respond to the defendant's Motion to Suppress, currently set for December 30, 2016, be extended to January 11, 2017, and that the defendant's deadline to file any reply, currently set for January 7, 2017, be extended to January 19, 2017. The requested extension would not affect the currently scheduled dates for calendar call and trial.

This stipulation is entered into for the following reasons:

1 1. The parties request a continuance because former counsel for the Government has
2 left the U.S. Attorney's Office, and this case was recently reassigned to new counsel for the
3 Government.

4 2. The requested continuance does not affect the currently scheduled dates for
5 calendar call and trial in this case, as briefing on the Motion to Suppress would conclude six weeks
6 before calendar call.

7 3. The additional time requested is not sought for purposes of delay, but to allow new
8 counsel for the Government to become familiar with the case and adequately respond to the
9 defendant's Motion to Suppress.

10 4. The defendant is in custody, but does not object to the continuance.

11 5. This is the first request for an extension of time regarding the briefing schedule on
12 defendant's Motion to Suppress.

13 Dated this the 27th day of December, 2016.

14 Respectfully Submitted,

15 DANIEL G. BOGDEN
16 United States Attorney

17 By: /s/
18 KATHLEEN BLISS
19 Counsel for Defendant Luis Ortega

20 By: /s/
21 RICHARD ANTHONY LOPEZ
22 Assistant United States Attorney

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. The parties request a continuance because former counsel for the Government has left the U.S. Attorney's Office, and this case was recently reassigned to new counsel for the Government.

2. The requested continuance does not affect the currently scheduled dates for calendar call and trial in this case, as briefing on the Motion to Suppress would conclude six weeks before calendar call.

3. The additional time requested is not sought for purposes of delay, but to allow new counsel for the Government to become familiar with the case and adequately respond to the defendant's Motion to Suppress.

4. The defendant is in custody, but does not object to the continuance.

5. This is the first request for an extension of time regarding the briefing schedule on defendant's Motion to Suppress.

1 For all of the above-stated reasons, the ends of justice would be served best by a
2 continuance of the briefing deadlines.

3 **ORDER**

4 IT IS ORDERED that the deadline for the Government's response to the defendant's
5 Motion to Suppress be extended to January 11, 2017; and

6 IT IS FURTHER ORDERED that the deadline for any reply by the defendant be extended
7 to January 19, 2017.

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9 Dated this 27th day of December, 2016

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11 
12 NANCY J. KOPPE
13 UNITED STATES MAGISTRATE JUDGE
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